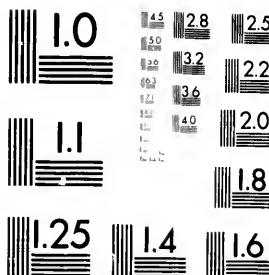
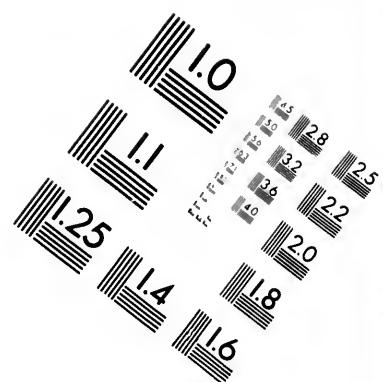
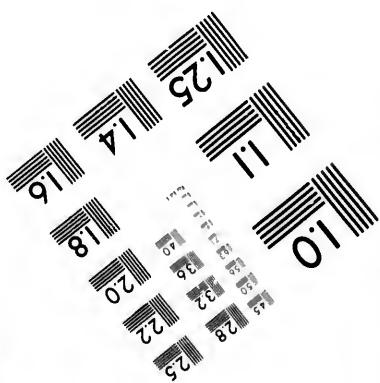
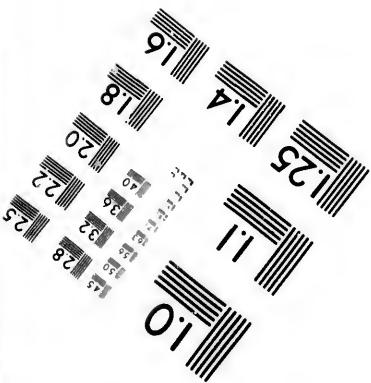


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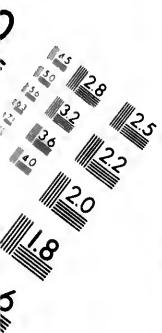


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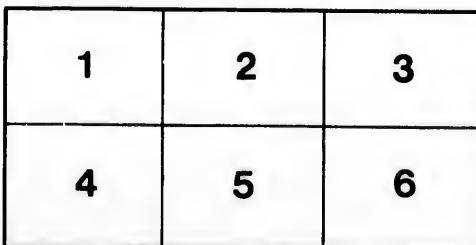
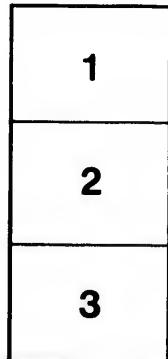
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With the compliments of the Prisoners' Aid Association of Canada.

THE

Dominion Government and Prison Reform

In view of the fact that the Prisoners' Aid Association of Canada is asking the Dominion Government to take up the question of prison reform during the present session of Parliament, and is also asking for an annual grant to carry on its operations more efficiently, the following literature on the subject is commended to the favorable consideration, not only of our legislators, but also of all true patriots.

(1) [From the report of the Prison Reform Conference, held in Toronto, in November, 1891, composed of delegates from all the Churches and from thirty-two other public bodies.]

THE PARDONING POWER.

"That in the opinion of this Conference, the confliction of authority between the Dominion and the Provincial Governments respecting the pardoning power, so far as relates to youths committed to the Refuge and Reformatories of Ontario, is fraught with the most serious consequences in the reclamation of the youths in such institutions.

"And whereas the Provincial Government has full executive control over the various Refuges, Reformatories, and Industrial schools for the custody and care of youths who have committed offenses against the law of the Dominion, or of the Province; such youths, while inmates of these institutions, being directly under the supervision and inspection of officers appointed by the Provincial Government, who from the exercise of such constant supervision, are best qualified to judge as to how and when the pardoning, commuting, or remitting authority should be exercised; this Conference very strongly concurs in the recommendation of the Prison Reform Commissioners, as set out in their Report to the Ontario Government and to the following effect:

"That such changes be made in the Dominion laws as may be found necessary to confer on the Provincial Government and its officers all requisite authority to pardon, parole, apprentice, board out, and generally deal with and exercise control over all children and youths sentenced or committed to, or placed in the Reformatory for boys, the Refuge or Reformatory for girls, and the Industrial Schools of the Province, whether such boys and girls have been sentenced or committed to, or placed in such institutions under the provisions of Dominion or Provincial laws:

"Therefore, be it resolved, that a delegation, composed of gentlemen to be nominated by the Prisoners' Aid Association, be appointed to wait upon the Hon. Sir John Thompson, Minister of Justice of the Dominion of Canada, to respectfully present the views of this Conference, with the object of remedying the serious defects now existing."

Toronto 1894

YOUNG CRIMINALS—FIRST OFFENDERS.

"That this Conference is fully alive to the frightful evil necessarily resulting from the association of youthful offenders with the most depraved and hardened criminals in the Central Prison, and in the Kingston and other Penitentiaries in the Dominion, and cordially concurs in the recommendation of the Prison Commissioners (as contained in clauses 28, 29 and 31 of their report) in regard to the necessity for the establishment of a special reformatory for young men between the ages of sixteen and thirty, and that this Conference recommends that the subject be brought under the notice of the Federal Government, with a view to the necessary steps being taken for the establishment of such institution; and that the Committee already appointed by this Conference be hereby authorized to submit this matter to the Hon. the Minister of Justice.

(28). *With a view to overcoming the evil, and in many cases fatal, results of associating young men who have been convicted of a first felony or serious misdemeanor, with the most depraved and hardened criminals in the Central Prison, Kingston Penitentiary, and the other penitentiaries of the Dominion, it is urgently recommended that the strongest pressure be brought to bear on the Dominion Government by the Government and Legislative Assembly of the Province, as well as by all societies and individuals interested in the reformation of criminals, for the establishment of an Industrial Reformatory for this class, which institution shall incorporate in its methods of treatment all the best features of the Elmira system, and the systems in operation in the other establishments of a similar kind in the United States.*

(29). *That to this reformatory be committed all young men between the ages of seventeen and thirty, who have been convicted for the first time of a felony or serious misdemeanor, and who, in the opinion of the judges imposing sentence, are proper cases for reformatory treatment: all prisoners sent to this Reformatory to be committed for an indeterminate period.*

(30). *The Commissioners recommend that the sentences passed on all juvenile offenders sent to reformatories or industrial schools be indeterminate, and that the Attorney-General of the Province, or some one duly authorized to act in his behalf, be empowered to liberate such juvenile offenders unconditionally or conditionally and on parole as may seem best calculated to promote the welfare of the offenders and the interests of the state.*

(31). *That the sentences of those committed to the proposed reformatory for young men be in all cases indeterminate with a maximum limit, and that commissioners or others be empowered to make regulations for the management of the reformatory, to establish a system of grades and marks, or such other means of stimulating the inmates to habits of order and industry and promoting their reformation as they may deem best: to liberate on parole such of the inmates as by their attention to work, diligence in study, observance of the rules, earnest efforts to reform and general good conduct, have proved that they will do their duty faithfully in any position in which they may be placed: and to discharge unconditionally those who having been paroled behave well for any appointed time.*

(32). *Sentences should, as far as possible, be progressive or cumulative.*

(2) [From Prison Reform Conference Report, 1892.]

"That whereas the Board of Directors of the Prisoners' Aid Association of Canada believe the time has arrived when it becomes necessary to take more active means for the formation of branch Associations throughout the Province, and

Whereas, the funds at the disposal of the Association are quite inadequate for this purpose, therefore

Resolved, That in the opinion of this meeting a small Government grant sufficient for this purpose would be a wise expenditure of public funds, and we commend the same to their favorable consideration."

(3) [From Mr. J. G. Moylan's Report to the Minister of Justice
1891, page xi.]

"It is one of the recommendations of the Ontario Commissioners to establish an Industrial Reformatory, where, 'young men between the ages of seventeen and thirty, who have been convicted, for the first time, of a felony or serious misdemeanour, and who, in the opinion of the judges imposing sentence, are proper cases for reformatory treatment,' should be sent and 'committed for an indeterminate period.' This recommendation is a good one and must commend itself to general approval. Its taking practical shape would be, for first offenders, the realization of what has been urged in these reports so frequently for convicts well-disposed and who give promise of reform. They should be separated from the habitual and hardened criminals. It requires no argument to show the paramount importance, the crying necessity there is to make some fit provision by which so great a number of young men may be saved from being thoroughly corrupted and ruined by constant association with the depraved and vicious, who, by their tact and cunning, will escape being committed to the prison of isolation. Allow me to bespeak your best consideration in behalf of this large array of human beings, on the threshold of manhood, who are standing, perhaps, on the very brink of destruction by becoming confirmed criminals. They may be saved from this fate, if timely steps be taken to rescue them from further contact with vice, and from the contaminating influence of wicked associates. The architectural construction of our penitentiaries does not permit the complete separation and classification required to prevent the baneful effect arising from the co-mingling of the neophytes in crime with those who are seasoned in guilt. I beg leave, therefore, earnestly to recommend the establishment of a prison, wholly reformatory in its character and management, wherein persons, between the ages of sixteen and thirty, convicted of their first known crime, entailing upon them a sentence of two years and more, would be confined, in view of being subjected to such discipline and treatment as their previous habits and training, disposition and age may render necessary. For this class of offenders, it is reasonable to suppose that the indeterminate period of imprisonment would have good results. In connection with this recommendation, the question may arise, will one such prison meet the requirement, or should it be a supplement to each penitentiary? No good reason appear in support of multiplying the number of these reformatory prisons. A central one, say at Ottawa, should suffice. The cost of the transfer of prisoners from the several provinces might be considerable; but it would be a trifle compared with the building, equipping and maintaining of five separate institutions. I suggest Ottawa as the best location for the prison recommended, because, first, it is as central as any other city in Ontario or Quebec, for all the other provinces; secondly and chiefly, because, here, the members of the Legislature and of the Government would have ready facilities and frequent opportunities of examining and inquiring into the administration of the prison and of satisfying themselves upon its operation and results. Even casual, not to speak of repeated visits to this proposed establishment, would, to a certainty, excite in the minds of our legislators such interest in the whole penal system as would be most desirable and advantageous for the public good."

(4) [From Address of Hon. G. W. Allan at Annual meeting of
Prisoners' Aid Association of Canada.]

"This subject has, as all are aware, been brought under the notice of the Premier, Sir John Thompson, on more than one occasion; and in January, 1893, I was one of a deputation who waited upon Sir John, to urge upon his consideration, both the proposed legislative action with regard to the pardoning and paroling power, and also the establishment for the Dominion of a special Reformatory for young men. I think the impression left upon the minds of the deputation was that the Premier was disposed to view both suggestions most favorably; and I have myself very little doubt, that had Sir John not been obliged to leave for Paris, to attend the Behring Sea Arbitration, so early in the

session, he would have taken up both the subjects, and we should probably have had the desired legislation last year.

"In regard to establishment of a special Reformatory for young men, I entirely agree with the proposition, that it is not punishment *only*, but reformation that we should aim at in the case of all offenders. Nevertheless, I am just as strongly of opinion that *all* offenders, be they young or old (but novices in crime), or more hardened sinners, should be made to feel that wrong-doing brings with it present punishment of a more or less severe character, in proportion to the nature of the offence, and from this penalty they cannot escape. I say this, because I think there has been a disposition shown by some very earnest, but, I venture to think, mistaken philanthropists, to *eliminate the punitive features*, almost entirely, in dealing with some classes of offenders, and in this I entirely differ from them.

"It is, however, another matter altogether, and one that calls for action, that young men, who, under the pressure of temptation, have made their first step from the right path, and perhaps have bitterly repented it, should be doomed during their term of punishment, to association with old and hardened criminals, and exposed to all the evil results flowing from such companionship; instead of being brought under influences which might help to lead them back once more to the right path, and send them out again into the world, to become good and useful citizens.

"I can only say, Mr. Chairman, in conclusion, that I shall be ready to do all in my power when I go down to Ottawa at the next session of Parliament, to urge both these subjects upon the attention of the Dominion Government, *viz.* the establishment of a special Reformatory for young men, and the conferring upon the Provincial Government the pardoning and paroling power."

(5) [From address of E. A. Meredith, L.L.D., formerly Chairman of the Board of Inspectors of Asylums and Prisons of Canada.

In seconding this resolution, Dr. Meredith spoke as follows :

"The publication of the Report of the Prison Commission of Ontario in 1891, was an epoch in the history of Prison Reform in Canada. The recommendations of the Commissioners, covering as they do the whole field of Prison Reform, had been cordially endorsed by the three large prison conferences held since in Toronto, by all the ecclesiastical bodies which since then have held their annual sessions in Ontario, and by numerous representative and influential lay organizations throughout the Province. They have, in fact, met with a universal acceptance in the country. To give effect to the recommendations of the Commissioners was therefore to give effect, not merely to their personal views but to the deliberate and reiterated judgment of the educated people of all creeds and classes in the country. We have the assurance of Sir John Thompson that the Federal Government is prepared to introduce, at the next session at Ottawa, the legislation necessary to carry out these recommendations; and we have also the assurance of Sir Oliver Mowat that the Government of Ontario will endeavour to fulfil its part, in passing at the earliest moment such legislation as is still required from them for the same object. Already, indeed, a most important step has been taken in that direction by the Ontario Government. The Act passed last session by the Local Legislature for the protection of friendless and neglected children is an honor to the country. No more beneficent or enlightened statute can probably be found on the Statute Book of any country. The passing of this Act was an especial source of gratification to him, as ever since he became, in 1859, officially connected, as a member of the Board of Inspectors, with the prisons of Canada, he had again and again in his official reports, and in separate pamphlets, denounced as a crime the sending of our unfortunate little ones to the gaols, there to be educated in vice and crime; and had urged that these waifs and strays of society should be taken from their evil surroundings and placed in homes or schools and brought up under good moral and religious influences."

(6) [From *The Week*, July 1st., 1892].

"Sir John Thompson assured a deputation who waited upon him a week or two since in the interests of the prison reform movement that the Federal Government was prepared to co-operate with that of Ontario in giving full effect to the recommendations of the Prison Reform Commissioners. Two of these recommendations are of special importance. The first is that such changes be made in the laws defining the prerogatives of the Dominion Government in criminal matters, as are necessary in order to confer upon the Provincial Government and its officers all requisite authority to pardon, parole, apprentice, board out, and generally deal with and exercise control over all children and youths sentenced or committed to or placed in the reformatories and industrial schools of the Province, whether such sentences or commitments may have been made under the provisions of Dominion or Provincial laws. This recommendation is of primary importance." * * *

"The second recommendation of the Prison Reform Commissioners is based on the same grand principle which seeks to reform law-breakers instead of simply punishing them. It has to do, however, with an older class of offenders. The proposal to which the Minister of Justice is said to have given a cordial consent, contemplates the establishment of a Dominion Reformatory for men—first offenders—between the ages of sixteen and thirty. The proposal has its origin in the well-known and deplorable fact that under present arrangements it often happens that young men who have been convicted of a first felony or serious misdemeanour are thrust into association with the most depraved and hardened criminals in the Toronto Central Prison, Kingston Penitentiary, or some similar institution, with the almost inevitable result that they are dragged down rapidly towards the level of those with whom they are thus placed in contact. There seems now good reason to hope that an institution may shortly be established in Canada in which it will be possible to test the efficacy of the indeterminate sentence and other motives which may be brought to bear under proper conditions for the reformation of young men who have made the first false step, but many of whom may be very far from being utterly depraved, and may gladly avail themselves of a place for repentance and a chance for recovery when such are brought within their reach."

(7). [From the records of the Central Prison Toronto, showing that many of the prisoners do not belong to Ontario].

In 1891, of a total of 585 prisoners who gave their nationality, 384 were from Canada; 108 from England; 74 from Ireland; 19 from Scotland; 89 from the United States and other countries.

In 1892, the nationalities given were as follows:—333 from Canada; 77 from England; 73 from Ireland; 36 from Scotland; 79 from the United States and other countries.

In 1893, the nationalities given were as follows:—370 from Canada; 77 from England; 66 from Ireland; 24 from Scotland; 95 from the United States and other countries.

It is to be noted that of those who gave their nationality as United States, very few were born in Canada; they were almost wholly from the criminal class who sought shelter from the vigilance of the United States police force.

From these statistics it will be seen that a large percentage of the prisoners at the Central Prison do not belong to, and have no claim whatever, upon the Province of Ontario. Many of the prisoners who gave their nationality as Canadians are from other Provinces, more especially from the Province of Quebec, the statistics under this head, unfortunately, are not available. The Prisoners' Aid Association of Canada, extends a helping hand to all deserving cases without reference to nationality, and the Managers aim at extending its operations to all parts of the Dominion. Unfortunately the funds at their disposal do not admit of this. A small grant to this end (say \$1000 a year) from the Dominion Treasury, would surely be a wise appropriation of public money.

(8) [From Address of Hon. S. H. Blake, Q. C., President of the
Prisoners' Aid Association].

"It has now become a trite observation that the turning point for good or evil in the life of most persons is generally before arriving at the age of twenty. It is the turning point for good or evil. The taste for crime, in most cases, begins before the age of twenty. The influence for good leading to the better life is generally before this period. How necessary, then, to look well after our young, and prevent the contaminating influences which will make this turn to be for the worse in youth. This should be one of the first cares of the State. It is a matter absolutely of vital moment to us. We are not a wealthy enough people to be able to pay all that crime costs us if we permit our young to fall into the way of sin. Whatever may be the cost of conserving our young, it is but a small percentage of what it will cost us if they are left to themselves and allowed to drift into the position of criminals. There should be a most complete power given as to the sentencing or non-sentencing of the young ; as to suspended sentences ; as to indeterminate sentences, &c.

PRISON REFORM—WHAT IS WANTED.

1. FROM THE DOMINION GOVERNMENT : (a) A reformatory for young men,—first offenders with indeterminate sentences, and the parole system. (b) Power to pardon, parole, and to deal with juvenile offenders absolutely, without reference to Dominion authority. (c) Provision for the separate trial and separate commitment of all children charged with offences under arrest. (d) An annual grant to promote prison reform in the Dominion.
2. FROM THE ONTARIO GOVERNMENT : (a) A reformatory for inebriates. (b) Re-organization of Boys' Reformatory and Refuge for Girls. (c) A special grant to promote county gaol reform.
3. FROM THE COUNTY COUNCILS : (a) Re-organization of the county gaol system—providing efficient classification of, and proper industrial employment for prisoners. (b) Providing the prisoners with wholesome literature, and giving them material aid upon their discharge. (c) Making independent provision for the poor of the county. (d) An annual grant to the Prisoners' Aid Association.
4. FROM THE CHURCHES, TEMPERANCE SOCIETIES AND THE PUBLIC GENERALLY : In the cause of prison reform—sympathy, co-operation and material aid.

137 CHURCH ST.,
TORONTO, April 13th, 1894.



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